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STATE OF IOWA
BOARD OF EDUCATIONAL EXAMINERS
Grimes State Office Building – 400 East 14th Street
Des Moines, Iowa 50319-0147

Minutes

April 11, 2003

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- 1 b) provide the Executive Director of the Board with course
2 titles and course descriptions and obtain pre-approval of
3 the courses; and
4
5 c) submit evidence of successful course completion to the
6 Board.
7

8 Proceedings for reinstatement of the Respondent's license may be
9 initiated by Respondent in the form of an application for
10 reinstatement, stating facts which, if established, are to be
11 sufficient to prove: (1) that the Respondent has complied with the
12 terms of this Order, and (2) that it would be in the public interest
13 for the Respondent's licenses to be reinstated. The burden of
14 proof shall be on the Respondent, and the Board shall have
15 complete discretion in ruling on the application.
16

17 Roll call vote: Haigh – yes; Stalker – yes; Westerhaus – yes; Chen – yes; Aboud
18 – yes; Seeland – yes; Carter – yes; Lewis – yes; Paulsen – yes; and Hathaway –
19 yes. **MOTION CARRIED UNANIMOUSLY.**
20

21 Anita Westerhaus moved, with a second by William Haigh, that in that in **case**
22 **number 02-22**, the Board find probable cause to establish a violation of one or
23 more of the criteria for professional practices and competent performance
24 established by this Board and order this case set for hearing. Roll call vote:
25 Paulsen – yes; Lewis – yes; Carter – yes; Seeland – yes; Aboud – yes; Chen – yes;
26 Westerhaus – yes; Stalker – yes; Haigh – yes; and Hathaway – yes. **MOTION**
27 **CARRIED UNANIMOUSLY.**
28

29 William Haigh moved, with a second by Anita Westerhaus, that in that in **case**
30 **number 02-26**, the Board find that, although one or more of the allegations in
31 the complaint may be substantiated by the witnesses interviewed in the course
32 of the investigation and the allegations may constitute a technical violation of
33 the board's statute or administrative rules, the evidence before the board
34 indicates that the alleged violation was an isolated incident and that adequate
35 steps have been taken to remedy the violation and to ensure that incidents of a
36 similar nature do not occur in the future. Taking into account these
37 circumstances, and the Board's mission to act upon those complaints which
38 involve a threat to the health and safety of students and the public, the Board

1 will not pursue formal disciplinary action in this matter. Roll call vote: Haigh –
2 yes; Stalker – yes; Westerhaus – yes; Chen – yes; Aboud – yes; Seeland – yes;
3 Carter – yes; Lewis – yes; Paulsen – yes; and Hathaway – yes. **MOTION**
4 **CARRIED UNANIMOUSLY.**

5
6 Anita Westerhaus moved, with a second by William Haigh, that **case number**
7 **02-31** be tabled until the May meeting. **MOTION CARRIED UNANIMOUSLY.**

8 Roll call vote: Haigh – yes; Stalker – yes; Westerhaus – yes; Chen – yes; Aboud
9 – yes; Seeland – yes; Carter – yes; Lewis – yes; Paulsen – yes; and Hathaway –
10 yes. **MOTION CARRIED UNANIMOUSLY.**

11
12 Anita Westerhaus moved, with a second by William Haigh, that **case number**
13 **02-29**, the Board extend the 180-day deadline for issuance of the final decision,
14 due to the need for addition time to conduct a hearing, prepare a proposed
15 decision, and review the proposed decision by the Board. Roll call vote:
16 Paulsen – yes; Lewis – yes; Carter – yes; Seeland – yes; Aboud – yes; Chen – yes;
17 Westerhaus – yes; Stalker – yes; Haigh – yes; and Hathaway – yes. **MOTION**
18 **CARRIED UNANIMOUSLY.**

19
20 John Aboud moved, with a second by Jean Seeland, to approve the March 7,
21 2003, minutes, as distributed. **MOTION CARRIED UNANIMOUSLY.**

22
23 William Haigh moved, with a second by Anita Westerhaus, to nominate Peter
24 Hathaway for the position of Board Chair. No further nominations were made.
25 **MOTION CARRIED UNANIMOUSLY.**

26
27 John Aboud moved, with a second by Brian Carter, to table to the May meeting
28 the adoption of the proposed changes to Chapter 14, the criteria to move from
29 an Initial to a Standard License, because the changes have not yet been made
30 in statute. **MOTION CARRIED UNANIMOUSLY.**

31
32 John Aboud moved, with a second by Anita Westerhaus, to adopt and file the
33 proposed changes to Chapters 11 and 12 that deny or revoke a license upon

1 proof of conviction of certain delineated criminal offenses. Roll call vote: Haigh
2 – yes; Stalker – yes; Westerhaus – yes; Chen – yes; Aboud – yes; Seeland – no;
3 Carter – yes; Lewis – no; Paulsen – yes; and Hathaway – yes. **MOTION**
4 **CARRIED.**

1 **STATE OF IOWA**
2 **BOARD OF EDUCATIONAL EXAMINERS**
3 **Grimes State Office Building – 400 East Grand**
4 **Des Moines, Iowa 50319-0147**

5
6 **Minutes**
7 **April 11, 2003**
8

9 The Board of Educational Examiners held its monthly meeting on April 11,
10 2003. The meeting was called to order by the Board Chair, Peter Hathaway, at
11 8:37 a.m. Members attending were John Aboud, Brian Carter, Ying Ying Chen,
12 William Haigh, Peter Hathaway, Helen Lewis, Thomas Paulsen, Jean Seeland,
13 Veronica Stalker and Anita Westerhaus. Also in attendance were Dr. Anne
14 Kruse, Executive Director of the Board; Christie Scase, Assistant Attorney
15 General and legal counsel to the Board; Jeanie Vaudt, Assistant Attorney
16 General and legal counsel to the Board; Barbara Hendrickson, Board Secretary;
17 and other visitors. Board Member Judy Jeffrey was unable to attend the
18 meeting. Ms. Scase and Ms. Vaudt were absent from the afternoon session.

19
20 Anita Westerhaus moved, with a second by William Haigh, that the Board go
21 into closed session for the purposes of discussing whether to initiate licensee
22 disciplinary proceedings and discussing the decision to be rendered in a
23 contested case, pursuant to Iowa Code sections 21.5(1)(d) and 21.5(1)(f). Roll
24 call vote: Haigh – yes; Stalker – yes; Westerhaus – yes; Chen – yes; Aboud –
25 yes; Seeland – yes; Carter – yes; Lewis – yes; Paulsen – yes; and Hathaway –
26 yes. **MOTION CARRIED UNANIMOUSLY.**

27
28 The Board reconvened into open session at 9:13 a.m.

29
30 William Haigh moved, with a second by Anita Westerhaus, that in **combined**
31 **case numbers 02-02**, Phillip and Martha Good v. Teresa Blanchard, and
32 **02-03**, James Blietz and Glenn Grove – Loess Hills AEA 13 v. Teresa Blanchard,
33 the Board accept the proposed decision with the following modifications:

1) On page 8, revise the last sentence of the first paragraph of the ORDER section, and insert "Under the circumstances, the Board should suspend her license for a minimum of two years."

2) On page 8, strike the second paragraph of the Order section, and replace it with the following:

THE BOARD THEREFORE Orders that the Respondent's teaching license shall be SUSPENDED with no possibility of reinstatement for two years from the date of this Order. In order to be eligible for reinstatement of her license at the conclusion of the period of the suspension, the Respondent must:

- a) attend and successfully complete six credit hours of course work addressing behavior management and discipline of special education students and the knowledge and understanding of professional ethics for educators;
- b) provide the Executive Director of the Board with course titles and course descriptions and obtain pre-approval of the courses; and
- c) submit evidence of successful course completion to the Board.

Proceedings for reinstatement of the Respondent's license may be initiated by Respondent in the form of an application for reinstatement, stating facts which, if established, are to be sufficient to prove: (1) that the Respondent has complied with the terms of this Order, and (2) that it would be in the public interest for the Respondent's licenses to be reinstated. The burden of proof shall be on the Respondent, and the Board shall have complete discretion in ruling on the application.

Roll call vote: Haigh – yes; Stalker – yes; Westerhaus – yes; Chen – yes; Aboud – yes; Seeland – yes; Carter – yes; Lewis – yes; Paulsen – yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

Anita Westerhaus moved, with a second by William Haigh, that in that in **case number 02-22**, the Board find probable cause to establish a violation of one or more of the criteria for professional practices and competent performance established by this Board and order this case set for hearing. Roll call vote: Paulsen – yes; Lewis – yes; Carter – yes; Seeland – yes; Aboud – yes; Chen – yes; Westerhaus – yes; Stalker – yes; Haigh – yes; and Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

1 William Haigh moved, with a second by Anita Westerhaus, that in that in **case**
2 **number 02-26**, the Board find that, although one or more of the allegations in
3 the complaint may be substantiated by the witnesses interviewed in the course
4 of the investigation and the allegations may constitute a technical violation of
5 the board's statute or administrative rules, the evidence before the board
6 indicates that the alleged violation was an isolated incident and that adequate
7 steps have been taken to remedy the violation and to ensure that incidents of a
8 similar nature do not occur in the future. Taking into account these
9 circumstances, and the Board's mission to act upon those complaints which
10 involve a threat to the health and safety of students and the public, the Board
11 will not pursue formal disciplinary action in this matter. Roll call vote: Haigh –
12 yes; Stalker – yes; Westerhaus – yes; Chen – yes; Aboud – yes; Seeland – yes;
13 Carter – yes; Lewis – yes; Paulsen – yes; and Hathaway – yes. **MOTION**
14 **CARRIED UNANIMOUSLY.**

15
16 Anita Westerhaus moved, with a second by William Haigh, that **case number**
17 **02-31** be tabled until the May meeting. **MOTION CARRIED UNANIMOUSLY.**
18 Roll call vote: Haigh – yes; Stalker – yes; Westerhaus – yes; Chen – yes; Aboud
19 – yes; Seeland – yes; Carter – yes; Lewis – yes; Paulsen – yes; and Hathaway –
20 yes. **MOTION CARRIED UNANIMOUSLY.**

21
22 Anita Westerhaus moved, with a second by William Haigh, that **case number**
23 **02-29**, the Board extend the 180-day deadline for issuance of the final decision,
24 due to the need for addition time to conduct a hearing, prepare a proposed
25 decision, and review the proposed decision by the Board. Roll call vote:
26 Paulsen – yes; Lewis – yes; Carter – yes; Seeland – yes; Aboud – yes; Chen – yes;
27 Westerhaus – yes; Stalker – yes; Haigh – yes; and Hathaway – yes. **MOTION**
28 **CARRIED UNANIMOUSLY.**

29
30 John Aboud moved, with a second by Jean Seeland, to approve the March 7,
31 2003, minutes, as distributed. **MOTION CARRIED UNANIMOUSLY.**

1 The Board looked at a handout summarizing a visit Board Member Anita
2 Westerhaus had with Vicky Brantley, Director, Educator Ethics for the state of
3 Georgia. Ms. Westerhaus highlighted a few of the points that were of interest to
4 the Board and some that related to her current research on professional
5 practices and ethical standards. She also made available a brochure of the
6 Georgia code of ethics and her draft of a comparable document from the Iowa
7 Administrative Code.

8
9 Board Member Jean Seeland complimented Licensure Consultant Jane Heinsen
10 on a student teacher seminar she had conducted in February in Waterloo.
11 Ms. Seeland also knew directly of someone who had gone through the new
12 substitute authorization program, and who found the training to be very good
13 preparation and was now enjoying substitute teaching.

14
15 Board Member Helen Lewis gave a last report as the community college
16 representative, with particular reference to the quality faculty development
17 plans. She also said that a hearing is scheduled on the second set of rules to
18 emerge from the Department of Education, with the hope that more defined
19 language will remedy earlier vagueness.

20
21 Board Member John Aboud commented that the elimination of community
22 college teacher licensure presented a situation for some high school teachers,
23 who no longer will be authorized to teach college-level classes.

24
25 Board Member Ying Ying Chen complimented staff on the turnaround time for
26 receipt of her new license.

27
28 There was no public comment other than that of Angie King of ISEA, who also
29 thanked staff for receipt of her license.

30
31 Board Chair Peter Hathaway acknowledged Helen Lewis' four years of service on
32 the Board and her departure due to the statutory elimination of the community
33 college representative's position. He praised her commitment to attending

1 meetings by sometimes traveling from distant locales, her post as grammarian,
2 and her role as conscience through asking questions for clarification so that
3 motions were absolutely clear. He mentioned a letter of appreciation sent
4 earlier from the Governor, and he then presented a second, personal letter of
5 appreciation from the Governor and a certificate of appreciation from the Board.
6 Ms. Lewis responded that it proved to be a great honor to be appointed to the
7 Board and that Mr. Hathaway's comments affirmed her in what she had striven
8 to accomplish. She wished all educators could attend a board meeting at least
9 once in their career in order to understand the need for particular
10 administrative rules and to comprehend the process and procedures followed in
11 upholding the standards. She expressed her admiration and appreciation for
12 the leadership skills which Mr. Hathaway, Executive Director Dr. Anne Kruse,
13 and Assistant Attorney General and legal counsel to the Board Christie Scase
14 brought to the Board meetings.

15
16 Board Member Brian Carter then sought clarification of Board membership.
17 Since proposed legislation to add to the Board a representative from a teacher
18 preparation institution did not pass, the Governor appointed another
19 representative from one of the remaining classes of personnel listed in statute.

20
21 Executive Director Dr. Anne Kruse reported briefly on a number of issues:

- 22
23 1) This was the second funnel week to get legislation out of committee.
24 2) Staff has been looking at and meeting with other professional organizations
25 to consider revision of some endorsements, and recommendations are
26 welcome.
27 3) Dr. Kruse met with members of the Iowa Association of Colleges for Teacher
28 Education (IACTE) and covered matters of concern. Those individuals are
29 still interested in having a representative from a teacher preparation
30 program sit on the Board. Despite six institutions initially expressing
31 interest in establishing a teacher intern program, no course of study yet
32 exists. Dr. Kruse answered affirmatively when Board Member Jean
33 Seeland's asked if colleges' financial obligations were the cause. Dr. Kruse

1 then said she will not, therefore, pursue the federal Transition to Teaching
2 Grant application due in June because there are no programs to list.
3 Praxis testing was interrupted due to large numbers taking the test sooner
4 than expected; in the past two years, 5400 have taken the test. Despite the
5 legislature's desire for institutional rankings with respect to test scores,
6 college officials are unwilling to make comparisons among themselves.
7 Multiple measures are the best indicators for assessment, and student
8 teaching is the best evaluation system, not a single test on a single day.
9 Board Chair Peter Hathaway added that Iowa students performed so well
10 on the first Praxis test, compared with students nationally, that the test
11 was not a discriminating instrument for Iowa purposes. Board Member
12 Jean Seeland proposed testimony from student teachers as an additional
13 resource for input to the legislature, and Dr. Kruse suggested direct
14 contact with legislators over the summer. Lastly, the legislative bill to
15 extend the Praxis report's due date by 45 days will probably pass, enabling
16 Dr. Kruse to have sufficient time to prepare the final report, following
17 receipt of scores and feedback from both boards.

18
19 Assistant Attorney General and legal counsel to the Board Christie Scase
20 addressed the district court's ruling on Michael Whittlesey's Petition for Judicial
21 Review, which upheld the decision of the Board. Mr. Whittlesey does have the
22 option of appealing the lower court's decision to the Iowa Supreme Court. She
23 said that at each level of review the odds of reversal become less. Dr. Kruse
24 commended Ms. Scase for her role in the case.

25
26 Dr. Anne Kruse summarized legislative news. The virtual academy bill now
27 includes areas dealing with distance delivery, telecommunications and
28 technology. Anyone teaching distance learning will need a teaching license.
29 Pamela Pfitzenmaier of IPTV has designed a course that helps people teach over
30 the web, coursework that is planned to be a requirement. A state
31 representative has proposed an amendment calling for the Board to create a
32 technology endorsement for distance learning that includes ICN, any
33 telecommunications, and web-based material. Historically, the Board has not

1 had a computer or technology endorsement because the field changes so
2 quickly. Board meeting participants voiced concern over the drawbacks of such
3 a mandate.

4
5 The bill making sexual exploitation of a student by a school employee a crime,
6 notifying the Board of an interrupted contract, and checking the background of
7 veteran teachers did not make it out of committee, but all or portions of it may
8 yet survive.

9
10 The commission for musical instruments bill did not make it out of committee.
11 Dr. Kruse related, however, that she had assured concerned legislators that
12 such activity violated Board rules. Board Member John Aboud said he had
13 spoken with staff in the three largest music stores in Iowa, and they were
14 unaware of such activity.

15
16 The Department of Education bill cleaning up license terminology and allowing
17 superintendents to be high school principals is still alive.

18
19 The Board recessed from 10:19 a.m. to 10:34 a.m.

20
21 Statutorily, the Director of the Department of Education is the Chair of the
22 Board. In his absence the Board is empowered to elect biennially a member to
23 serve in the position which most recently has been referred to as the Vice-
24 Chair. Executive Director Dr. Anne Kruse stated that no reason can be found
25 to use the word "Vice," and election for Chair of the Board took place next.
26 William Haigh moved, with a second by Anita Westerhaus, to nominate Peter
27 Hathaway for the position of Board Chair. No further nominations were made.

28 **MOTION CARRIED UNANIMOUSLY.**

29
30 John Aboud moved, with a second by Brian Carter, to table to the May meeting
31 the adoption of the proposed changes to Chapter 14, the criteria to move from
32 an Initial to a Standard License, because the changes have not yet been made
33 in statute. Assistant Attorney General and legal counsel to the Board

1 Christie Scase had advised against filing for adoption rules that are
2 inconsistent with current law. **MOTION CARRIED UNANIMOUSLY.**

3
4 Although statute rescinded the Evaluator License effective July 1, 2003, staff
5 sees a continued need for those possessing a teacher's license, an
6 administrator's license, or a permanent professional license to add an evaluator
7 license or endorsement to their license. Additionally, the coursework may be
8 used to satisfy renewal requirements for the teacher-evaluator license, as well
9 as the administrator license. In response to a question from Board Member
10 Jean Seeland, it was clarified that persons holding a one-year conditional
11 administrative license, who have not had evaluator training, may not evaluate
12 individuals in their building. Anita Westerhaus moved, with a second by Jean
13 Seeland, to table to the May meeting action on the proposed changes to Chapter
14 20 on the evaluator license and endorsement, because renewal requirements
15 have not yet been set by the Department of Education, as noted by absent
16 Board Member Judy Jeffrey via written communication. **MOTION CARRIED**
17 **UNANIMOUSLY.**

18
19 The Board once again considered proposed rules to deny or revoke a license
20 upon proof of conviction of certain delineated criminal offenses, implementing
21 Senate File 2258. Assistant Attorney General and legal counsel to the Board
22 Christie Scase had made some non-substantive revisions in some sections of
23 the noticed rules in accordance with board members' wishes from the March
24 meeting, particularly with regard to language about a deferred judgment. John
25 Aboud moved, with a second by Anita Westerhaus, to adopt and file the
26 proposed changes to Chapters 11 and 12 that deny or revoke a license upon
27 proof of conviction of certain delineated criminal offenses. Roll call vote: Haigh
28 – yes; Stalker – yes; Westerhaus – yes; Chen – yes; Aboud – yes; Seeland – no;
29 Carter – yes; Lewis – no; Paulsen – yes; and Hathaway – yes. **MOTION**
30 **CARRIED.**

31
32 Licensure Consultant Geri McMahon presented for the Board's consideration a
33 proposal to add a School Library Media area of concentration to the

1 paraeducator certificate, with the objective of improving the quality of services
2 in school libraries for students and staffs. Proposed rules, in addition, clarified
3 the paraeducator renewal requirements. Although the paraeducator certificate
4 is currently voluntary, through its administrative rules, Board Chair Peter
5 Hathaway said, the Board is giving institutions some indication of the
6 competencies that the Board would like to see them use when they prepare
7 staff. Under No Child Left Behind, moreover, requirements for paraeducators are
8 moving in a proscriptive direction. Executive Director Dr. Anne Kruse told the
9 Board that there has been extremely positive feedback on the paraeducator
10 programs. The rules will be brought back for action at the May meeting.

11
12 Licensure Consultant Susan Fischer presented for the Board's consideration a
13 proposal for merging the K-6 and the 7-12 principal requirements into a K-12
14 principal endorsement. The requirements at the two levels were combined to
15 show a K-12 leveling of curriculum, evaluation and supervision. Planned field
16 experiences at the elementary, middle and high school levels were another
17 consideration, as was specifying the number of contact hours.

18
19 The Board recessed for lunch at 11:45 a.m. and reconvened at 12:31 p.m.

20
21 Discussion continued on the K-12 principal endorsement. Staff was directed to
22 address assessment, data collection, student achievement and staff professional
23 growth more specifically in the competencies. Teacher preparation institutions
24 would be contacted for feedback on a second draft of the rules and indication of
25 the number of hours currently required in their respective practicum.

26
27 Upon recommendation of the Leadership Partnership Committee, the Board
28 then contemplated modification to the superintendent endorsement so that the
29 holder would be authorized to serve as a superintendent, AEA administrator or
30 director of special education. Competencies needed for a superintendent and
31 an AEA administrator would be similar enough. Those for a director of special
32 education, however, would probably need to be more specific, with essential
33 competencies so directly related to special education that, in the end, director of

1 special education might not be included in this endorsement. Ms. Fischer will
2 have feedback on the proposal from field professionals, following a May meeting
3 of the directors of special education.

4

5 The Board considered a list of potential topics for discussion at the June board
6 retreat, followed by some discussion of recognition for teachers who have
7 achieved national board certification.

8

9 There being no further business, Board Chair Peter Hathaway adjourned the
10 meeting at 1:35 p.m.